

Application No. 09/711,049
Amendment dated April 29, 2005
Reply to Office Action of December 30, 2004

REMARKS

Claims 1-40 were pending in the application; the status of the claims is as follows:

Claims 15-17 are allowed.

Claims 11-13, 19, 32, 33, and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-10, 14, 18, 20-31, 34, and 36-40 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,438,711 B2 to Woodruff (“Woodruff”).

Claims 19, 24, and 35 are being cancelled with this amendment.

Claims 1, 22, 23, 26, 27 and 37 have been amended to more clearly specify the invention. These changes do not introduce any new matter.

A Supplemental Information Disclosure Statement is being filed concurrently.

35 U.S.C. § 102(e) Rejection

The rejection of claims 1-10, 14, 18, 20-31, 34, and 36-40 under 35 U.S.C. § 102(e) as being anticipated by Woodruff, is respectfully traversed based on the following.

Claim 1, as amended, now includes the limitations of former claim 19, which the Office Action indicated would be allowable. Thus, Applicant submits that claim 1, and claims 2-14 and 18, which depend from claim 1, are allowable over the prior art of record.

Claim 20 requires the steps of a) “receiving a computer medium carrying an inspection result” and b) “reading out said inspection result from said computer-readable medium.”

Woodruff discloses a method for managing a computer system, including initiating a reset of the computer system from a remote location, and downloading diagnostic software on the computer system from the remote location. (Abstract). Woodruff states that the remote management console 120 is used to perform field diagnostics on the computer system 110. Diagnostic instructions may be read into the memory of the computer system 110 from a computer-readable medium (such as data storage device 231), or from another source via network controller 221. (Woodruff, col. 6, lines 47-55). Woodruff does not disclose that the inspection results are stored on a computer-readable medium and thus does not disclose the step of receiving a computer-readable medium carrying an inspection result. Thus, Woodruff does not disclose every element of claim 20 therefore claim 20 is allowable over Woodruff. Claim 21 depends from and includes the limitations of claim 20 and is thus allowable over Woodruff for at least the same reasons.

Claim 22 requires the step of “accepting selection of an inspection program out of a plurality of inspection programs from said customer.” The selected inspection program can then be executed on the electronic device on the customer’s side.

In contrast, Woodruff discloses that the system interrogator 430 interrogates the computer system 110 for information to determine the types of diagnostics to download to the computer system 110. (Col. 7, lines 28-31). The system interrogator 430 is part of the console diagnostic tester 400 which is part of the remote management console 120. (Col. 6, line 63 - col. 7, line 2; col. 7, lines 24-25). Thus, according to Woodruff, it is the remote management console 120 that determines the type of diagnostics to be executed by the computer system. Woodruff does not disclose accepting selection of an inspection program from a customer as recited in claim 22 and therefore cannot anticipate claim 22.

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Claim 23 depends from and includes the limitations of claim 22 and is thus allowable over Woodruff for at least the same reasons.

Claim 25 recites the step of “accepting selection of an inspection program … from said customer.” As discussed above, Woodruff does not disclose accepting selection of an inspection program from a customer and therefore cannot anticipate claim 25.

Claim 26, as amended, now includes the limitations of former claim 35, which the Office Action indicated would be allowable. Thus, Applicant submits that claim 26, is allowable over the prior art of record.

Claim 27, as amended, now includes the limitations of former claim 35, which the Office Action indicated would be allowable. Thus, Applicant submits that claim 27, and claims 28-34, which depend from claim 27, are allowable over the prior art of record.

Claim 36 requires a processor for “accepting selection of an inspection program … and accepting download of said inspection program selected by said customer.” As discussed above, Woodruff does not disclose accepting selection of an inspection program from a customer and therefore cannot anticipate claim 36.

Claim 37, as amended, now includes the limitations of former claim 35, which the Office Action indicated would be allowable. Thus, Applicant submits that claim 37, and claim 38, which depends from claim 37, are allowable over the prior art of record.

Claim 39 requires a computer-readable medium carrying a program that, when executed by a computer, causes the computer to perform the steps of “accepting selection of an inspection program … from said customer” and “accepting download of said inspection program selected” As discussed above, Woodruff does not disclose accepting selection of an inspection program from a customer and therefore cannot anticipate claim 39. Claim 40 depends from and includes the limitations of claim 39 and is thus allowable over Woodruff for at least the same reasons.

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Accordingly, it is respectfully requested that the rejection of claims 1-10, 14, 18, 20-31, 34, and 36-40 under 35 U.S.C. § 102(b) as being anticipated by Woodruff, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

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and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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